IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY APPLICATION NO.356 OF 2007
IN
COMPANY PETITION NO.222 OF 2002

B. I. F. R. ..Petitioner.

Vs.

Movni Extraction Pvt. Ltd.
(in Liquidation) ..Respondent.

And

Rajasthan State Industrial Development
& Investment Corporation Ltd. ..Applicant.

....

Mr. Prakash Panjabi for the Petitioner.
Mrs. K.V. Gautam, Dy. Official Liquidator present.

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CORAM: **DR. D.Y. CHANDRACHUD, J.**

8th June, 2007.

P.C. :

Inasmuch as no order of winding up has been passed and the Liquidator has not been appointed as Provisional Liquidator, the conditions precedent for exercise of the jurisdiction under Section 446 of the Companies Act, 1956 are absent at this stage. Hence, counsel appearing for the Applicant seeks leave of the Court to withdraw the Application with liberty reserved to take out appropriate proceedings

in accordance with law at the appropriate stage. The Application is accordingly disposed of as withdrawn with liberty as prayed.